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# BOARD BULLETIN

MINNESOTA BOARD OF SOCIAL WORK NEWSLETTER



## COMPLIANCE TOOLKIT

*The Compliance Toolkit is a regular feature of the Board Bulletin that will provide you with tools for handling common ethical dilemmas and issues related to the [Standards of Practice](#) found in the Minnesota Social Work Practice Act. Consider the following scenario:*

**I am an LICSW in private practice. I have a client who is planning to attend college in Florida next year but would like to continue therapy with me via video or phone. Am I able to offer the client this service? Are there any specific regulations related to electronic practice?**

Yes. In Minnesota, social work practice may be conducted via electronic means. The definition of [social work practice](#) includes social work services provided “through telephone, video conferencing, or electronic means.” Social workers engaged in electronic social work practice must comply with all the same [Standards of Practice](#) and licensing requirements as they do in their in-person social work practice. This includes [confidentiality](#), [professional boundaries](#), and [documentation](#). You should consider whether the method of electronic communication you choose is secure and compliant with the Health Insurance Portability and Accountability Act.

While the Social Work Practice Act is not explicit, before engaging in electronic practice, there are some important factors to consider such as what boundaries you will set and how you will communicate this information to the client. For example:

- *Will you set specific hours when the client may contact you and be unavailable to the client other times?*
- *Will you use your personal device for communicating with the client?*
- *How will you protect the client’s information on the electronic device?*
- *Will you allow the client to text you or email you?*
- *How will you document this kind of contact?*
- *How will you ensure that the data is secure?*
- *Do you include information about this electronic communication in your informed consent policy?*
- *What will you do if the client refuses to comply with the policies and procedures you set around electronic contact?*

Location has an impact on licensure requirements. In general, if the social worker is in Minnesota and the client is in Florida, the social worker would be considered to be engaged in practice in Minnesota and Florida. The social worker is responsible for contacting the licensing board in Florida to determine if they must also be licensed there. The social worker will also need to comply with any specific requirements of the other state regarding social work practice.

Requirements for licensure by endorsement can vary widely between the states and it may not be as simple as paying a fee and showing proof of your current Minnesota licensure. The Board’s [Legislation and Rules Committee](#) is currently involved in an in-depth review of the Minnesota Social Work Practice Act. As potential changes to the Practice Act are considered, one of the factors the Board asked the Committee to consider is the ease with which individuals licensed in other jurisdictions can become licensed in Minnesota. For more information on licensure mobility and resources for becoming licensed in other states, visit the [Association of Social Work Board’s \(ASWB\) Social Work Practice Mobility](#) website.

For more information about best practices in electronic social work practice, review the [Electronic Practice Reports](#) on the Board’s website, including the [2017 NASW, ASWB, CSWE, & CSWA Standards for Technology in Social Work Practice](#).